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OCT 22 2004

TECHNOLOGY CENTER 3600

Stratton Ballew  
213 S. 12<sup>th</sup> Avenue  
Yakima, WA 98902

In re Application of: :  
Dennis L. Franz :  
Serial No. 10/666,800 :  
Filed: September 18, 2003 :  
For: COULOMB FORCE NEUTRALIZED :  
FUSION REACTOR :

**DECISION ON PETITION  
TO MAKE SPECIAL  
(ENERGY)**

This is a decision on the petition filed July 6, 2004 under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section VI: Energy.

A grantable petition to make an application special under 37 C.F.R. 1.102 (c), MPEP 708.02, Section VI for an invention which materially contributes to (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources must be accompanied by statements under 37 CFR 1.102 by applicant or his attorney explaining how the invention materially contributes to category (A) or (B) set forth above.

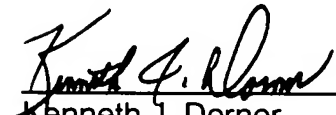
The petition states that the present application "materially contributes to the development of energy resources" by "the controlled generation of electricity from a stream of ions by a nuclear fusion process." And, "by disclosing a controlled and scalable fusion reaction."

These statements are insufficient to grant a petition under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section VI: Energy. In this regard, without some details setting forth how the invention functions to control generation of electricity from a stream of ions by a nuclear fusion process, the above statements are inadequate to establish for the record that the invention "materially contributes to the development of energy resources".

For the above stated reasons, the petition is **DISMISSED**.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petitioner desire reconsideration, he should supplement this petition by a declaration or statement giving the information as outlined above. Applicant should promptly submit a renewed petition to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.

  
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Kenneth J. Dorner  
Special Programs Examiner  
Technology Center 3600  
(703) 308-0866

KJD/rwg: 10/13/04